

2-25-02

A

02/22/02
10080743 "022202"
10080743 "022202"
10080743 "022202"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Broome et al.

Examiner in immediately
preceding parent application: Unknown

Serial No.: Unknown

Anticipated Group Art Unit: 3731

Filed: February 22, 2002

For: DISTAL PROTECTION DEVICE AND METHOD

Docket No.: 1001.1350103

1002 U.S. PRO
10/080743
02/22/02

TRANSMITTAL SHEET

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EL837559055US, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231 on this 22nd day of February, 2002.

By: JoAnn Lindman

We are transmitting herewith the attached Continuation Application under 37 CFR §1.53(b), Prior Application including the following:

- ☒ 24 sheet(s) of specification.
- ☒ 5 sheets of claim(s).
- ☒ 1 sheet(s) of Abstract.
- ☒ 12 sheet(s) of informal/formal drawings.
- ☒ A copy of an executed Declaration and Power of Attorney.
- ☒ A copy of a Revocation of Prior Powers of Attorney and Power of Attorney.
- ☒ A check in the amount of \$ 740.00 is enclosed.
- ☒ Postcard Receipt.
- ☒ Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By:

Glenn M. Seager, Reg. No. 36,926

CROMPTON, SEAGER & TUFTE, LLC
331 Second Avenue South, Suite 895
Minneapolis, Minnesota 55401-2246
Telephone: (612) 677-9050
Facsimile: (612) 359-9349

#2/a
5/20/02
4-18-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Broome et al.

Examiner in immediately
preceding parent application: Unknown

Serial No.: Unknown

Anticipated Group Art Unit: 3731

Filed: February 22, 2002

For: DISTAL PROTECTION DEVICE AND METHOD

Docket No.: 1001.1350103

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EL837559055US, in an envelope address to: Assistant Commissioner for Patents, Washington, D.C., 20231 on this 22nd day of February, 2002.

By _____

JoAnn Lindman

This is a request for filing a continuation application, under 37 CFR §1.53(b), of pending prior application Serial No. 09/723,003 filed on November 27, 2000, for an invention entitled DISTAL PROTECTION DEVICE AND METHOD.

1. Enclosed is a copy of the prior application, including the inventor's DECLARATION of July 6, 1998, as originally filed on March 5, 1998.
2. I hereby verify that the enclosed papers are a true copy of prior application Serial No. 09/723,003 as filed on November 27, 2000, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.
3. Cancel in this application original Claims 2-21 of the prior application before calculating the filing fee. At least one original independent claim has been retained for filing purposes.

4. The filing fee is calculated below:

| CLAIMS AS FILED | | | | | | |
|---------------------------------------|---------------------|---------------------|--------------|-------|-------|----------|
| FOR: | (1) No. Filed | (2) No. Extra | SMALL ENTITY | | OTHER | |
| | | | RATE | FEE | RATE | FEE |
| BASIC FEE | XXXXX | XXXXX | XXXXX | \$370 | XXXXX | \$740 |
| TOTAL CLAIMS | 1-20= | 0 | X 9= | \$ | X 18= | \$ |
| INDEPENDENT CLAIMS | 3- 3= | 0 | X 42= | \$ | X 84= | \$ |
| () MULTIPLE DEPENDENT CLAIM PRESENTED | | | +140= | \$ | +280= | \$ |
| TOTAL | | | | \$ | XXXXX | \$740.00 |

5. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 50-0413.
6. A check in the amount of \$ 740 .00 is enclosed to cover the filing fee.
7. Amend the specification by deleting, immediately after "CROSS-REFERENCE TO RELATED APPLICATION" on page 1 thereof, the sentence [This application claims priority to copending application Serial No. 08/943,358, filed October 3, 1997, entitled DISTAL PROTECTION DEVICE AND METHOD and assigned to the same assignee as the present invention, and application Serial No. 08/810,825 filed March 6, 1997, entitled DISTAL PROTECTION DEVICE and assigned to the same assignee as the present invention.] and inserting the sentence --This application is a continuation of copending Application Serial No. 09/723,003 filed on November 27, 2000, which is a continuation of Application Serial No. 08/943,358, filed on October 3, 1997, ^{now US 6,804,118} which is a continuation of Application Serial No. 08/810,825 filed on March 6, 1997. ^{now US 5,812,044}
8. Please find enclosed twelve (12) sheets of formal/informal drawings.
9. The power of attorney in the prior application is to CROMPTON, SEAGER & TUFTE LLC. The revocation of prior powers of attorney and power of attorney appears in the papers in the prior application file, and a copy is enclosed. Address all future communications to:

Glenn M. Seager
CROMPTON, SEAGER & TUFTE, LLC
331 Second Avenue South
Suite 895
Minneapolis, MN 55401

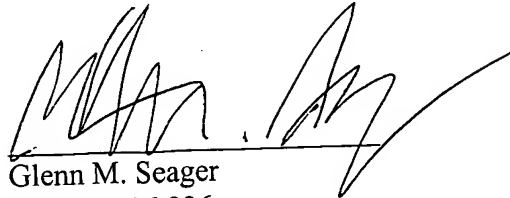
10080743-02220-04208001

12/5/03

21

10. This patent application is assigned to SciMed Life Systems, Inc., pursuant to the Assignment recorded at Reel 9387, Frame 0230.

Feb. 22, 2002
(Date)


Glenn M. Seager
Reg. No. 36,926

CROMPTON, SEAGER & TUFTE, LLC
331 Second Avenue South
Suite 895
Minneapolis, MN 55401
Telephone: (612) 677-9050
Facsimile: (612) 359-9349

202220" E420800T